

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|  |   |                                    |
|--|---|------------------------------------|
| <b>In re:</b>                                | : |                                    |
|  | : | <b>Case No.: 1:17-bk-00861-RNO</b> |
| <b>Ricky A. Pittman AKA Rick A. Pittman,</b> | : | <b>Chapter 13</b>                  |
| <b>DBA RJz Shop</b>                          | : | <b>Judge Robert N. Opel II</b>     |
| <b>Jeanne E. Pittman AKA Jeanne E</b>        | : | <b>*****</b>                       |
| <b>Carbaugh</b>                              | : |                                    |
|  | : |                                    |
| <b>Debtor(s).</b>                            | : |                                    |
|  | : |                                    |
| <b>Nationstar Mortgage LLC</b>               | : |                                    |
| <b>Movant</b>                                | : |                                    |
|  | : |                                    |
| <b>v.</b>                                    | : |                                    |
|  | : |                                    |
| <b>Ricky A. Pittman AKA Rick A. Pittman,</b> | : |                                    |
| <b>DBA RJz Shop, Jeanne E. Pittman AKA</b>   | : |                                    |
| <b>Jeanne E Carbaugh, Charles J. DeHart</b>  | : |                                    |
| <b>III, Trustee</b>                          | : |                                    |
| <b>Respondents</b>                           | : |                                    |

**OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

Now comes Nationstar Mortgage LLC ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 12558 Path Valley Rd., Willow Hill, PA 17271.
2. The Debtor's Chapter 13 Plan proposes to treat Creditor's claim unfairly by providing for an inadequate arrearage amount. The amount of the arrearage in the Chapter 13 Plan is \$10,000.00 and the amount that Creditor has calculated for inclusion in its claim is \$18,712.56.
3. Debtor's Plan additionally misidentifies the mortgage creditor as "PNC Bank".
4. Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the

17-016234\_JDD1

Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Karina Velter

---

Karina Velter, Esquire (94781)  
Kimberly A. Bonner (89705)  
Holly N. Wolf (322153)  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028  
Telephone: 614-220-5611  
Fax: 614-627-8181  
Attorneys for Creditor  
The case attorney for this file is Karina Velter.  
Contact email is kvelter@manleydeas.com

17-016234\_JDD1

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|  |   |                                    |
|--|---|------------------------------------|
| <b>In re:</b>                                | : |                                    |
|  | : | <b>Case No.: 1:17-bk-00861-RNO</b> |
| <b>Ricky A. Pittman AKA Rick A. Pittman,</b> | : | <b>Chapter 13</b>                  |
| <b>DBA RJz Shop</b>                          | : | <b>Judge Robert N. Opel II</b>     |
| <b>Jeanne E. Pittman AKA Jeanne E</b>        | : | <b>*****</b>                       |
| <b>Carbaugh</b>                              | : |                                    |
|  | : |                                    |
| <b>Debtor(s).</b>                            | : |                                    |
|  | : |                                    |
| <b>Nationstar Mortgage LLC</b>               | : |                                    |
| <b>Movant</b>                                | : |                                    |
|  | : |                                    |
| <b>v.</b>                                    | : |                                    |
|  | : |                                    |
| <b>Ricky A. Pittman AKA Rick A. Pittman,</b> | : |                                    |
| <b>DBA RJz Shop, Jeanne E. Pittman AKA</b>   | : |                                    |
| <b>Jeanne E Carbaugh, Charles J. DeHart</b>  | : |                                    |
| <b>III, Trustee</b>                          | : |                                    |
| <b>Respondents</b>                           | : |                                    |

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, 228 Walnut Street, Suite 1190, Harrisburg, PA 17101

Charles J. DeHart III, Chapter 13 Trustee, 8125 Adams Drive, Suite A, Hummelstown, PA 17036

Aaron John Neuharth, Attorney for Ricky A. Pittman and Jeanne E. Pittman, Neuharth Law Offices, PO Box 359, Chambersburg, PA 17201, aneuharth@neuharthlaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on May 3, 2017:

Ricky A. Pittman AKA Rick A. Pittman, DBA RJz Shop and Jeanne E. Pittman AKA Jeanne E Carbaugh, 12558 Path Valley Road, Willow Hill, PA 17271

PNC Bank, 3232 Newmark Drive, Miamisburg, OH 45342

17-016234\_JDD1

DATE: 5/3/17

/s/ Karina Velter

Karina Velter, Esquire (94781)

Kimberly A. Bonner (89705)

Holly N. Wolf (322153)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is [kvelter@manleydeas.com](mailto:kvelter@manleydeas.com)

17-016234\_JDD1